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EXAMINER	
TRAN, THAI Q	

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 16

Application Number: 09/348,891
Filing Date: July 06, 1999
Appellant(s): KALKER ET AL.

Edward W. Goodman
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 27, 2003.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejection of claims 1-6 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Cox et al ('792 B1).

Regarding claim 1, Cox et al discloses a method of detecting a watermark in a compressed video signal (Fig. 10) comprising spectral coefficients obtained by transforming picture of said video signal, the method comprising the steps:

accumulating spatially corresponding coefficients of a plurality of picture (step 102 of Fig. 10, col. 17, lines 51-58);

inverse transforming said accumulated coefficients into an accumulated plurality of pictures (step 104 of Fig. 10, col. 17, line 59 to col. 18, line 1); and

detecting the watermark in said accumulated plurality of pictures (steps 106-118 of Fig. 10, col. 18, lines 1-12).

Regarding claim 2, Cox et al also discloses the claimed wherein said encoded video signal includes predictively encoded pictures each comprising coefficients

representing a residual picture after subtracting a prediction picture, and wherein the steps of accumulating coefficients is applied to the coefficients representing said residual pictures irrespective of coefficients representing the prediction picture (col. 9, lines 27-49 and col. 17, lines 51-58).

Regarding claim 3, Cox et al further discloses the claimed wherein said predictively encoded pictures further include motion vectors, and wherein the step of accumulating coefficients is carried out irrespective of said motion vectors (col. 9, lines 27-49 and col. 17, lines 51-58).

Apparatus claim 4 is rejected for the same reasons as discussed in method claim 1 above.

Apparatus claim 5 is also rejected for the same reasons as discussed in method claim 1 above.

Claim 6 is rejected for the same reasons as discussed in claim 1 above. Additionally, Cox et al discloses the claimed means (col. 1, lines 32-45) for disabling recording and/or playback of the video signal in dependence upon the presence of a watermark in said video signal.

(11) Response to Argument

THE REJECTION OF CLAIMS 1-6 OVER COX ET AL:

In re pages 3-8, appellants argue that the subject invention is not anticipated by Cox et al and is patentable thereover because Cox et al detects watermark **in the DCT domain** while the claimed invention detects watermark in **spatial domain**.

In response, the examiner respectfully disagrees. Cox et al discloses from col. 17, line 51 to col. 18, line 12 that

> "With reference now to FIGS. 10 and 11, there are shown the basis detection algorithms modified to compensate or translational registration. In the case of MPEG video input (FIG. 10), 8x8 DCT blocks obtained from an MPEG video stream are first classified into M groups according to their indices m of the functions h_m (i,j), summed within the groups for generating M summed blocks, and the resultant summed blocks are accumulated in 8x8 accumulators **102**. The M summed blocks in accumulators **102** must be converted into the spatial domain by perform an inverse DTC operation inverse DCT converter **104**, and accumulated in accumulators **106**. Finding the **offset value of the 8x8 grid** and **compensating for the offset** is executed for the output from 8x8 accumulators **106** in registration **108** as described above. The registration data outputted from the registration process **108** is accumulated in accumulators **110** and converted into the DCT domain in DCT converter **112** for watermark extraction by use of accumulators **114**, watermark extractor **116**, the DCT coefficients outputted from accumulator **114** are classified into N sets according to the functions h_m (i,j) and summed for extracting a watermark."

From the above passage, it is noted that the process of finding the offset value of the 8x8 grid and compensating for the offset using 8x8 accumulators **106** and registration process **108** is **part** of the process of detecting watermark.

Since finding the offset value of the 8x8 grid and compensating for the offset is **part** of the process of detecting watermark and is in **spatial domain,** the claimed "detecting the watermark in said accumulated plurality of pictures" is anticipated by steps 106 to 118 of Fig. 10 of Cox et al.

Additionally, even if, *arguendo*, that finding the offset value of the 8x8 grid and compensating for the offset of Cox et al is **not** part of watermark detecting process, the claimed "**inverse transforming said accumulated coefficients into an accumulated plurality of pictures**" is anticipated by **the DCT converter 112** of Fig. 10 of Cox et al because the DCT converter 112 of Cox et al is inverse transforming of the **Inverse DCT**

Converter 104 and the claimed "detecting the watermark in said accumulated plurality of pictures" is anticipated by Watermark Extractor 116 of Fig. 10 of Cox et al because the alleged "watermark detection is performed in the spatial domain" is not recited in claims.

(12) For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

TTQ
October 16, 2003

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